IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION

WRIT PETITION NO. 8614 OF 2005 .

Shri Laxmansingh Nar ... Petitioner.
V/s.
Colonel Mickie Oberoi ... Respondent.

WITH

WRIT PETITION NO. 8623 OF 2005.

Shri V.Appadore .. Petitioner.
vs.
Colonel Mickie Oberoi .. Respondent.

WITH

WRIT PETITION NO. 8624 OF 2005.

Shri S.S. Ghorpade .. Petitioner
vs.
Colonel Mickie Oberoi .. Respondent.

WITH

WRIT PETITION NO.8625 OF 2005.

Shri Sitaram S. Gawde ..Petitioner
vs.
Colonel Mickie Oberoi ..Respondent.

WITH

WRIT PETITION NO. 8626 OF 2005.

Shri Daljit Kaur Panesar ..Petitioner
vs.
Colonel Mickie Oberoi ..Respondent

WITH

WRIT PETITION NO. 8627 OF 2005.

Smt.Rama Gavas ..Petitioner.
vs.
Colonel Mickie Oberoi ..Respondent

WITH

WRIT PETITION NO. 8628 OF 2005.

Shri P.T.Raut ..Petitioner
vs.
Colonel Mickie Oberoi. ..Respondent.

Shri V.S. Gokhale for the petitioners.
Respondent in person.
(in all matters).

CORAM : V.C.DAGA, J.

DATED : 21.12.2005.

P.C. :

. Heard learned Counsel for the petitioners and respondent No.1 who is appearing -in- person.

Perused petition and the documents annexed thereto.

2. Having gone through the impugned order with the assistance of the learned Counsel appearing for the petitioners and having examined the counter affidavit and undisputed facts stated therein, it is not possible to accept any of the contentions raised on behalf of the petitioners; firstly, to the effect that the respondent No.1 is not the owner and landlord of the suit premises; secondly, that the Will executed in his favour by his Late grand-mother is bogus and suspicious and the same is being pressed into service by way of afterthought or rather the said Will has not been proved in accordance with law; thirdly; that bonafide need does not include right to demolish old structure and reconstruction of new house for residential purpose and lastly, that the word successor-in-interest does not bring within its fold creation of interest on

basis of Will assuming it to be genuine and valid.

3. The Courts below have considered all the above contentions reiterated before this Court.

4. Having examined the reasons recorded, it is not possible to conclude that the impugned order is a perverse order. The view taken by the Courts below is a reasonable and possible view.

5. For the reasons recorded therein, all the writ petitions are dismissed in limine with no order as to costs.

6. At this stage, learned Counsel for the petitioners sought 6 months time to vacate the suit premises. Respondent No.1 representing all the respondents has no objection for grant of such time subject to filing usual undertaking.

7. Accordingly, petitioners are granted six months time to vacate the suit premises subject to filing usual undertaking in this Court within 4 weeks from today duly signed by all adult members occupying the suit premises specifically stating that they shall vacate the suit premises after expiry of six months i.e. on or before 30.6.2006. That they shall continue to pay agreed rent on or

before 5th of every month by way of occupation charges during the period of 6 months permitted hereunder. That they shall not create third party interest in the suit premises.

8. Failure on the part of the petitioners to file undertaking within the period as indicated herinabove, it will be open for the decree holder to execute the decree in accordance with law.

. All petitions stand disposed of in terms of this order with no order as to costs.